

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 11 and 16 were previously cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1-10, 12-15 and 17-20 are pending. Claims 1 and 3-5 are amended. Claims 1, 3, 4 and 5 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Rejection Under 35 U.S.C. § 103(a)

Claims 1, 2, 6, 7, 10, 12-14, 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryu et al. (U.S. Patent Publication 6,216,660) in view of Poles et al. (U.S. Patent Publication 2001/0021363);

Claims 4, 18 and 19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryu et al. and Poles et al. and further in view of Keller (U.S. Patent Publication 2,635,858);

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryu et al. in view of Poles et al. and Holben (U.S. Publication Patent 2,680,601);

Claim 15 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryu et al. and Poles et al. as applied to Claims 1, 2, 6, 7, 11-14 and 16-17 above, and further in view of Wernholm et al. (U.S. Patent Publication 6,692,551);

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ryu et al. and Poles et al. as applied to claims 1, 2, 6, 7, 11-14 and 16-17 above, and further in view of Busch et al. (U.S. Patent Publication 2001/0052410);

Claims 1-3, 6-10, 12, 13 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Toriyama et al. (U.S. Patent Publication 6,218,804) in view of Poles et al.; and

Claim 20 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Toriyama et al. (U.S. Patent Publication 6,218,804) and Poles et al. as applied to claims 1, 2, 6-9, 11-13 and 16-17 above, and further in view of Busch et al..

These rejections are respectfully traversed.

Amendments to Independent Claims 1 and 4

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, independent claim 1 has been amended herein to recite a combination of elements directed to an atmospheric pollutant treatment structure, including *inter alia*

a fan cover covering the fan,

wherein the upper and lower portion cover members are connected to the fan cover at positions forward of a forward-most part of the fan.

In addition, independent claim 4 has been amended herein to recite a combination of elements directed to an atmospheric pollutant treatment structure, including *inter alia*

a fan cover covering the fan;

wherein a forward-most part of the shroud is attached to the cylinder head, and a rear-most part of the shroud is attached to the fan cover at a position forward of a forward-most part of the fan.

Support for the novel combination of elements set forth in each of independent claims 1 and 4 can be seen in FIG. 2.

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1 and 4 is not disclosed or made obvious by the prior art of record, including Ryu et al., Toriyama et al, Poles et al. and Keller.

In contrast to the present invention, FIGS. 2 and 16 of Ryu et al. merely discloses a fan shroud 69, 153 surrounding the fan 59, 60, 144, 145, the cylinder block 107 and the cylinder cover 163.

Further, as can be seen in Toriyama et al. FIG. 5, this document merely discloses a fan shroud 207 surrounding the fan 250 the cylinder head 204.

Poles et al. were cited merely to disclose a catalyst.

In the rejection of claim 4, Keller was cited merely to disclose a vibration damping means.

Therefore, no combination of Ryu et al., Toriyama et al., Poles et al. and Keller can teach or suggest “a shroud attached to the fan cover at a position forward of a forward-most part of the fan”, as required by each of claims 1 and 4 as amended herein.

Therefore, independent claims 1 and 4 are in condition for allowance.

Amendments to Independent Claim 3 and 5

While not conceding the appropriateness of the Examiner’s rejection, but merely to advance prosecution of the present application, each of independent claims 3 and 5 have been amended herein to recite a combination of elements directed to an atmospheric pollutant treatment structure, including *inter alia*

a fan for drawing air into a case body of an engine;

wherein an ignition plug projects from a side of the cylinder head and into a portion of the cooling air passage adjacent to the fan.

Support for the novel combination of elements set forth in each of independent claims 3 and 5 can be seen in FIG. 2.

Applicants respectfully submit that the combination of elements as set forth in each of independent claims 3 and 5 is not disclosed or made obvious by the prior art of record, including Ryu et al., Toriyama et al, Poles et al. and Holben.

In contrast to the present invention, FIGS. 2 and 16 of Ryu et al. merely disclose an ignition plug projects from a side of the cylinder head 101 and into a portion of the cooling air passage away from (near outlets 680, 154b) the fan 59, 60, 144, 145 (rather than adjacent to the fan, as in the present invention).

Further, as can be seen in Toriyama et al. FIG. 5, this document merely discloses an ignition plug 206 extending directly upwardly from cylinder head 204.

Poles et al. were cited merely to disclose a catalyst.

In the rejection of claim 5, Holben was cited merely to disclose tabs and recesses.

However, no combination of Ryu et al., Toriyama et al., Poles et al. and Holben can teach or suggest “an ignition plug projects from a side of the cylinder head and into a portion of the cooling air passage adjacent to the fan”, as required by each of claims 3 and 5.

At least for the reasons described above, Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1 and 3 is not disclosed or made obvious by the prior art of record, including Ryu et al., Toriyama et al, Poles et al., Keller and Holben.

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Art Unit: 3747
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Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.
Therefore, independent claims 1 and 3-5 are in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, as well as for the additional novel limitations set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are respectfully requested.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

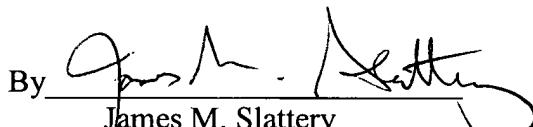
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (Direct Line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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